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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO DIVISION

SYMANTEC CORPORATION,

Plaintiff,

vs.

VEEAM SOFTWARE CORPORATION

Defendant.

Case No. 3:12-cv-00700 SI

~~PROPOSED~~ ORDER CONSOLIDATING
SYMANTEC CORPORATION V. VEEAM
SOFTWARE CORPORATION, CASE NO.
3:12-CV-00700 SI ("VEEAM I") WITH
SYMANTEC CORPORATION V. VEEAM
SOFTWARE CORPORATION, CASE NO.
3:12-CV-05443 SI ("VEEAM II")

ADMINISTRATIVELY CLOSING 12-5443 SI

IT IS HEREBY ORDERED THAT:

1. Veeam I shall be consolidated with Veeam II;
2. Symantec shall file stipulation papers dismissing U.S. Patent 7,254,682 with prejudice from the consolidated case within five days of this order;
3. All dates in the Veeam I case schedule are vacated (including the deadline for expert discovery, summary judgment, and trial) and the consolidated case shall proceed on the following schedule:

Activity	Due Date
Claim Construction Hearing for Veeam II	9/18/13 (Dkt 154)
Close of Fact Discovery for Veeam II	90 days after the claim construction ruling
Opening Expert Reports on Veeam II issues	60 days after the close of fact discovery
Rebuttal Expert Reports on Veeam II issues	120 days of the close of fact discovery
Close of Expert Discovery (i.e. depositions) for Veeam I and Veeam II	165 days after the close of fact discovery
Summary Judgment Opening Briefs	30 days after the close of expert-witness discovery
Summary Judgment Opposition Briefs	30 days after service of the opening brief
Summary Judgment Reply Briefs	15 days after the service of the opposition brief.
Summary Judgment Hearing	At the Court's convenience
Pretrial Conference	TBD
Trial	TBD

4. Symantec's expert Jim Kearn will submit the irreparable injury report in the Veeam II case.
5. Symantec's expert Jeff Stec will submit the market research report in the Veeam II case.
6. Symantec's expert Raymond Sims will submit the lost profits/reasonable royalty report in the Veeam II.

DATED: August ²⁹, 2013By: Hon. Susan Illston
United States District Judge

Due to the consolidation of these cases, C-12-5443 shall be administratively closed and all further filings shall be made in C-12-0700 SI.